



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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JUAN CARLOS ALVAREZ ORTEGA, *on behalf* :
of himself and others similarly situated, :

Plaintiff, :

-against- :

BEACON BROADWAY COMPANY, LLC, :
BEACON WINE AND SPIRITS, :
MITCHELL'S WINE AND LIQUOR STORE, and :
CHIYOUNG CHUNG and DOE CHUNG, :
individually, :

Defendants. :
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ORDER

15 Civ. 257 (GBD)

GEORGE B. DANIELS, United States District Judge:

For the reasons stated at the June 18, 2015 conference, the Defendants' partial motion to dismiss Defendant C.Y. New Corp. d/b/a Mitchell's Wine & Liquor and individual defendants Chi[] Young Chung and "Doe Chung" from this action because these defendants do not constitute the Plaintiff's employer under the Fair Labor Standards Act of 1938 or the New York Labor Laws is hereby DENIED.

The Clerk of the Court is directed to close the motion at ECF No. 20.

Dated: New York, New York
June 18, 2015

SO ORDERED:

A handwritten signature in cursive script that reads "George B. Daniels".

GEORGE B. DANIELS
United States District Judge